

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL
	:	NO. 21-65
v.	:	
	:	
JOHN DOUGHERTY and	:	
GREGORY FIOCCA	:	

**ORDER**

**AND NOW**, this 2nd day of May, 2022, upon review of the pending motions, the responses thereto, and having held oral argument, in accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** as follows:

1. Defendant Dougherty's Motion to Dismiss is **DENIED**;
2. Defendant Dougherty's Motion to Preclude the Recording of the Alleged Assault as a Co-Conspirator Statement is **GRANTED**;
3. Defendant Dougherty's Motion to Compel Identification of the Confidential Informant is **DENIED**;
4. Defendant Fiocca's Motion to Preclude the Confidential Informant's Recording is **DENIED**;
5. The Government's Motion to Admit is **GRANTED IN PART** and **DENIED IN PART**.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
**Jeffrey L. Schmehl, J.**